

Amendment dated June 22, 2005
Serial No. 10/777,696

REMARKS

Reconsideration of the rejection set forth in the Office Action is respectfully requested. By this Amendment, claim 15 has been canceled and claims 11, 17, 22-23, 25, and 28 have been amended. Currently, claims 11-14 and 16-29 are pending in this application.

Examiner Hoosain is thanked for the courtesies extended during the telephone interview on June 6, 2005. During the interview, proposed amendments to the claims were discussed as were the several pending rejections. The Examiner suggested amendments that he indicated would appear to overcome the rejection of the claims over Wood, and which also appeared to be likely to overcome the rejection over Gerzberg, et al., as well. Applicants have amended the claims in a manner believed to be consistent with the amendments discussed during the interview. If the Examiner would like the claims to be amended in a different manner, the Examiner is respectfully requested to contact applicant's representative to discuss this matter.

Rejection of claims 11-20, 23-25, 27-29 under 35 USC 102(3) over Wood

Claims 11-20, 23-25, 27-29 were rejected under 35 USC 102(e) over Wood, et al. (U.S. Patent No. 6,091,808). During the interview the Examiner indicated that amending the claims in the manner set forth above would likely overcome the rejection over Wood. Accordingly, this rejection is believed to be moot. Also, since the application and the Wood reference were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same person, application of the Wood reference under 35 USC 103 is not warranted.

Rejection of claims 11-20, 23-25, 27-29 under 35 USC 1-3 over Gerzberg '439 in view of Gerzberg '810 and Furman

Claims 11-29 were rejected under 35 USC 103 over Gerzberg '439 (U.S. Patent No. 6,052,439) in view of Gerzberg '810 (U.S. Patent No. 6,229,810) and Furman (U.S. Patent No. 6,049,594). This rejection is respectfully traversed in view of the following arguments.

Gerzberg '439 does not teach personal directories in which one or more of the pluralities of pairs of names and corresponding telephone numbers is populated by the caller. Rather, Gerzberg teaches a system for searching a public telephone directory to find names and telephone numbers (See Col. 8, lines 26-27), and prioritizes the search results depending on

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which entries have been previously selected when directory assistance was called from that telephone. See e.g., Col. 8, lines 33-37. For example, at Col. 8, lines 26-48, Gerzberg '439 teaches that the yellow pages and toll-free directory pages may be searched. These are public databases, not private databases. Gerzberg '439 also teaches that results may be stored for the user by the system so that future searches may be prioritized to provide the user with entries that have previously been dialed from that telephone.

This falls short of teaching what is claimed in two respects. First, the prioritized entries in Gerzberg '439 are not associated with a particular user, but rather are associated with a particular telephone from which the user is calling. Thus, if the user is traveling, the prioritized entries will not be available to the user. Second, the user has no control over the entries. In particular, the NSP automatically stores information about previously selected calls without allowing the user to edit that list of stored numbers. If the user mistakenly selects the wrong number, that wrong number will preferentially be provided to the user over other numbers that may be more relevant. The system in Gerzberg '439 does not allow the user to edit the list. Third, where the phone is shared by multiple people, the system will not create a separate prioritization scheme for each person, but rather maintains a list of numbers called from that telephone.

Accordingly, applicants respectfully submit that Gerzberg '439 fails to teach or suggest personal directories in which at least one of the plurality of pairs is populated by the caller. The other cited references fail to make up this deficiency and the Examiner has not asserted that they do so. Accordingly, applicants respectfully submit that the combination of references fails to render the invention, as recited in the claims, obvious.

As a secondary point, applicants respectfully submit that it would not have been obvious to combine Gerzberg '439 with Furman. The Examiner has taken the position that the combination of Gerzberg '439 and Gerzberg '810 fails to teach the step of confirming by the caller at least one aspect of the retrieved information. The Examiner contends, however, that Furman teaches special codes for canceling wrong recognized numbers, which the Examiner contends implicitly teaches the claimed step of "confirming".

Gerzberg teaches a system in which the system performs a search and returns a prioritized list of telephone numbers and names that are displayed on a video phone to the user.

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The user then selects one of the references that have been displayed, and the system will dial the number. There is no need, in Gerzberg '439, to confirm anything since the user has had the ability to visually see the name of the person that the system is going to call, and to see the number of the person that will be called. Adding a confirmation step to this would not be obvious because it is unnecessary – the user has already had a chance to look at the number once; requiring the user to do so again would be cumbersome and undesirable. Accordingly, applicants respectfully submit that a person of ordinary skill in the art would not have been motivated to add the additional step of confirming, since this step is unnecessary given the way in which Gerzberg '439 is designed. For this additional reason applicants respectfully submit that the pending claims are not obvious over the applied combination of references and respectfully request that the rejections be withdrawn.

Conclusion

Applicants respectfully submit that the claims pending in this application are in condition for allowance and respectfully request an action to that effect. If the Examiner believes a telephone interview would further prosecution of this application, the Examiner is respectfully requested to contact the undersigned at the number indicated below.

If there are any questions or concerns regarding the amendments or these remarks, the Examiner is requested to telephone the undersigned at the telephone number listed below. If any fees are due in connection with this filing, the Commissioner is hereby authorized to charge payment of the fees associated with this communication or credit any overpayment to Deposit Account No. 502246 (Ref: NN-HU0138C).

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Respectfully Submitted



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